

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
EXECUTIVE COMMITTEE
MINUTES OF A PUBLIC HEARING**

DATE.....November 3, 2004
TIME.....4:30 P.M.
PLACE.....CO. OFFICE
BLDG.
20 N. 3RD STREET
LAFAYETTE, IN 47901

MEMBERS PRESENT

Mark Hermodson
KD Benson
Steve Schreckengast
Bob Bowman
Gary Schroeder
David Williams

MEMBERS ABSENT

Dr. Carl Griffin

STAFF PRESENT

Sallie Fahey
Margy Deverall
Kathy Lind
James Hodson, Atty.

Mark Hermodson called the meeting to order.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes of the October 6, 2004 Executive Committee public hearing as submitted. Dave Williams seconded.

Sallie Fahey pointed out that Bob Bowman was present.

The motion, with change, carried by voice vote.

II. NEW BUSINESS

Gary Schroeder moved that the Comprehensive Plan for Tippecanoe County, the Unified Zoning Ordinance of Tippecanoe County, the Unified Subdivision Ordinance for Tippecanoe County, Indiana, are hereby entered by reference into the record of each agenda item. Dave Williams seconded and the motion carried by voice vote.

A. FINAL DETAILED PLANS

1. RESOLUTION PD 04-28 LINDBERG VILLAGE, SECTION ONE, PLANNED DEVELOPMENT (Z-2131)

Final Detailed Plans for section 1, consisting of Final Plat only, includes 70 single-family lots on 16.06 acres (roughly half of the approved development) and is located west of Klondike Road between CR 250 N and Lindberg Road, Wabash 10 (SE) 23-5.

Gary Schroeder moved to hear and approve the above-described request. Dave Williams seconded.

Margy Deverall summarized the staff report with recommendation of approval.

Joseph T. Bumbleburg, PO Box 1535, Lafayette, IN, concurred with the staff report and requested approval.

The Committee voted by ballot 6 yes – 0 no to approve **RESOLUTION PD 04-28 LINDBERG VILLAGE, SECTION ONE, PLANNED DEVELOPMENT (Z-2131).**

2. RESOLUTION PD 04-29 RENAISSANCE PLACE PLANNED DEVELOPMENT (Z-

2143): Final Detailed Plans, consisting of Construction Plans, for a mixed use development with three structures made up of, a 6-story office building; a 6-story building with first floor retail and 5 floors of residential units; and a 319-space public/private parking garage. The site is located on the city block bounded by 2nd,

3rd, Main and Ferry Streets in Downtown Lafayette in the block diagonally across from the Tippecanoe County Courthouse in Lafayette, Fairfield 20 (SE) 23-4.

Gary Schroeder moved to continue the above-described request to the December 1, 2004 Executive Committee public hearing. Dave Williams seconded and the motion carried by voice vote.

3. RESOLUTION PD 04-30 HICKORY RIDGE, "THE RETREAT," PLANNED DEVELOPMENT (Z-2152):

Final Detailed Plans, consisting of Final Plat only, for 50 single-family, neo-traditional lots, on 13.83 acres at a density of 3.62 units per acre, located on the west side of Concord Road between CR 430 S and CR 500 S, Wea 15 (SW) 22-4.

Gary Schroeder moved to hear and approve the above-described request. Dave Williams seconded.

Margy Deverall summarized the staff report with recommendation of approval.

Daniel Teder, PO Box 280, Lafayette, IN, concurred with the staff report and requested approval.

Steve Schreckengast asked if bonding was included in the motion.

Mark Hermodson responded affirmatively.

The Committee voted by ballot 6 yes – 0 no to approve **RESOLUTION PD 04-30 HICKORY RIDGE, "THE RETREAT," PLANNED DEVELOPMENT (Z-2152).**

4. RESOLUTION PD 04-31 MCCORMICK PLACE PLANNED DEVELOPMENT PHASE III (Z -2191):

Final Detailed Plans, consisting of Construction Plans only, for expansion of the multi-family residential development McCormick Place PD (Z-2003) for the purpose of adding surface parking, outdoor recreational facilities and the option for storage facilities to serve the already existing apartments. The site is located at the northeast corner of McCormick and Lindberg Roads, in West Lafayette, Wabash 11(SE) 23-5 & 12(SW) 23-5.

Gary Schroeder moved to hear and approve the above-described request. Dave Williams seconded.

Margy Deverall presented slides of the zoning map, site plan and aerial photos. She summarized the staff report with recommendation of approval.

Daniel Teder concurred with the staff report and requested approval.

Sallie Fahey said bonding would be required when the Final Plat is approved.

The Committee voted by ballot 6 yes – 0 no to approve **RESOLUTION PD 04-31 MCCORMICK PLACE PLANNED DEVELOPMENT.**

**III. PUBLIC HEARING
A. SUBDIVISIONS**

1. S-3581 – CLCW FUNK SUBDIVISION (Minor-Sketch):

Petitioner is seeking primary approval to replat two lots into one, on 3.62 acres. The site is located in Capilano by the Lake Subdivision, on the east side of CR 400 W, at the north end of Glen Eagles Place, in Wabash 3 (NW) 23-5.

Gary Schroeder moved to hear and vote on the above-described request. Dave Williams seconded.

Kathy Lind presented slides of the zoning map, site plan and aerial photos. She summarized the staff report with recommendation of approval contingent upon the following:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. A "No Vehicular Access" statement shall be platted along the CR 400 W right-of-way line.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
3. All required building setbacks shall be platted.
4. The street addresses and County Auditor's Key Number shall be shown.
5. A letter from the Architectural Control Committee of Capilano by the Lake granting permission to combine the lots into one according to Article IV, General Provisions, Section 27 of the restrictive covenants.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

6. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

Leandra Funk, 3939 Glen Eagles Place, West Lafayette, IN, concurred with the staff report and requested approval.

The Committee voted by ballot 6 yes – 0 no to approve **S-3581 – CLCW FUNK SUBDIVISION (Minor-Sketch).**

2. S-3582 – BARNEY'S REST (Minor-Sketch):

Petitioner is seeking primary approval for a 2-lot subdivision on 2.874 acres, located on the east side of CR 75 E, just north of I-65, in Tippecanoe 20 (NE) 24-4.

Gary Schroeder moved to hear and vote on the above-described request. Dave Williams seconded.

Kathy Lind presented slides of the zoning map, sketch plan and aerial photos. She summarized the staff report with recommendation of approval contingent upon:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the approved entrances, a "No Vehicular Access" statement shall be platted along the CR 75 E right-of-way line.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
3. All required building setbacks shall be platted.
4. The street addresses and County Auditor's Key Number shall be shown.
5. The parcelization P82-12 shall be dissolved prior to recordation of the final plat.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

6. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

Ron Wharry, 52 West Clinton Street, Frankfort Street, IN, concurred with the staff report and requested approval.

The Committee voted by ballot 6 yes – 0 no to grant conditional primary approval to **S-3582 – BARNEY'S REST (Minor-Sketch).**

3. S-3584 – AMIE'S ACRES SUBDIVISION (Minor-Sketch):

Petitioners are seeking primary approval for a one lot subdivision on 2.91 acres, located on the north side of CR 750 N, just west of CR 100 W, in Tippecanoe 13 (NE) 24-5.

Gary Schroeder moved to hear and vote on the above-described request. Dave Williams seconded.

Kathy Lind presented slides of the zoning map, sketch plan and aerial photos. She summarized the staff report with recommendation of approval contingent upon the following:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
2. All required building setbacks shall be platted.
3. The Regulatory Flood Elevation and Boundary for the adjacent waterway Flood Plain shall be described and certified as specified in Unified Zoning Ordinance, Section 2-26-17, or the building setback shall be shown an additional 25' from the 690' contour line.
4. The street addresses and County Auditor's Key Number shall be shown.

Nick Starr, 413 Teal Road, Lafayette, IN, concurred with staff report and requested approval.

The Committee voted by ballot 6 yes – 0 no to grant conditional primary approval to **S-3584 – AMIE'S ACRES SUBDIVISION (Minor-Sketch).**

4. S-3588 – SERENDIPITY MINOR SUBDIVISION formerly Tranquility Minor Subdivision (Minor-Sketch):

Petitioners are seeking primary approval for a 3-lot subdivision on 7.567 acres, located on the east side of CR 900 E, just north of CR 700 S, in Sheffield 26 (SW) 22-3.

Gary Schroeder moved to hear and vote on the above-described request. Dave Williams seconded.

Kathy Lind presented slides of the zoning map, sketch plan and aerial photos. She summarized the staff report with recommendation of approval contingent on the following:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. A “No Vehicular Access” statement shall be platted along the CR 900 E right-of-way line.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded). New easements created to allow future lot owners the use of the existing driveway easements shall be recorded, shown, and referenced (if needed).
3. All required building setbacks shall be platted.
4. The street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

5. The “No Vehicular Access” restriction shall be enforceable by the Area Plan Commission and irrevocable by the lot owners.

Nick Starr concurred with staff report and requested approval.

The Committee voted by ballot 6 yes – 0 no to grant conditional primary approval to **S-3588 – SERENDIPITY MINOR SUBDIVISION** formerly Tranquility Minor Subdivision (Minor Sketch).

5. S-3589 – LIBERTY FARMS MINOR SUBDIVISION formerly Sheffield Farms (Minor Sketch)

Petitioners are seeking primary approval for a 2-lot commercial subdivision, located on the west side of Dayton Road, opposite the Shady Lane intersection, in Dayton, Sheffield 9 (NW) 22-3.

Gary Schroeder moved to hear and vote on the above-described request. Dave Williams seconded.

Kathy Lind presented slides of the zoning map, sketch plan and aerial photos. She summarized the staff report with recommendation of approval contingent upon the following:

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the approved entrances, a “No Vehicular Access” statement shall be platted along the Dayton Road right-of-way line.
2. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
3. All required building setbacks shall be platted.
4. ~~The Dayton Town corporation line shall be labeled.~~ An easement for the off-site sewer connection shall be created by separate document recorded and referenced on the final plat.
5. The street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

6. The “No Vehicular Access” restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

Robert Grove, 1930 Kossuth Street, Lafayette, IN, concurred with the staff report and requested approval.

Based on a request from staff, Gary Schroeder moved to remove and replace Condition #4 with the language as shown above. Dave Williams seconded and the motion carried by voice vote.

The Committee voted by ballot 6 yes – 0 no to grant conditional primary approval to **S-3589 – LIBERTY FARMS MINOR SUBDIVISION** formerly Sheffield Farms (Minor Sketch).

IV. APPROVAL OF THE NOVEMBER 17, 2004 APC PUBLIC HEARING AGENDA
A. ORDINANCE AMENDMENTS

Gary Schroeder moved that the following ordinance amendments be placed on the November 17, 2004 Area Plan Commission Public Hearing agenda:

ORDINANCE AMENDMENT #46 (as amended)

Dave Williams seconded and the motion carried by voice vote.

B. REZONES

Gary Schroeder moved that the following rezone petitions be placed on the November 17, 2004 Area Plan Commission Public Hearing agenda:

Z-2208 – PRICE HILL FARMS, INC. (R1 TO I3)

Z-2216 – WILLIAM FLEISCHHAUER (Chauncey Townhomes PD (R3W TO PDRS)

Z-2217 – CHRIS ALLEN TABOR (NB TO NBU)

Z-2218 – REGENCY PROPERTIES, LLC (R1 TO GB)

Dave Williams seconded and the motion carried by voice vote.

C. SUBDIVISIONS

Gary Schroeder moved that the following subdivision petitions be placed on the November 17, 2004 Area Plan Commission Public Hearing Agenda at petitioner's request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

S-3593 – BARRINGTON WOODS (Major-Preliminary)

Dave Williams seconded and the motion carried by voice vote.

V. DETERMINATION OF VARIANCES

A. LAFAYETTE BOARD OF ZONING APPEALS

Gary Schroeder moved that the following requests for variance from the Unified Zoning Ordinance are not requests for use variance, prohibited from consideration by ordinance and statute:

2004-38 – BURKHART ADVERTISING

2004-39 – BAUER, INC.

2004-40 – DENNIS JEWELL

2004-41 – DUANE & BETH SOWDERS

2004-42 – MILLENIUM GROUP, INC.

Dave Williams seconded and the motion carried by voice vote.

Gary Schroeder moved that with regard to the following petitions, the sign ordinance be strictly adhered to:

2004-38 – BURKHART ADVERTISING

2004-39 – BAUER, INC.

Dave Williams seconded and the motion carried by voice vote.

VI. REVIEW AND APPROVAL OF THE OCTOBER BUDGET REPORT

Sallie Fahey highlighted the October Budget Report.

Gary Schroeder moved to accept the October, 2004 Budget Report as submitted. Dave Williams seconded and the motion carried by voice vote.

VII. OTHER BUSINESS

None

VIII. ADJOURNMENT

Gary Schroeder moved for adjournment. Dave Williams seconded and the motion carried by voice vote.


The meeting adjourned at 5:15 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Bianca Bullock".

Bianca Bullock
Recording Secretary

Reviewed by,

A handwritten signature in cursive script that reads "Sallie Dell Fahey".

Sallie Dell Fahey
Executive Director